



The Bihar Gazette

EXTRA ORDINARY

PUBLISHED BY AUTHORITY

19 BHADRA 1934(S)
(NO.PATNA 468) PATNA, MONDAY, 10TH SEPTEMBER 2012

BIHAR ELECTRICITY REGULATORY COMMISSION, PATNA

NOTIFICATION

The 7th September 2012

No. Suo-Motu Proceeding No. 30/2012-06 -899—In exercise of powers conferred on it by Sub -section (1) of section 181 read with clause (g) of sub-section (1) of Section 86 of the Electricity Act, 2003 (Act 36 of 2003) and all other powers enabling it (the Commission) in this behalf, the Bihar Electricity Regulatory Commission hereby amends as under the Bihar Electricity Regulatory Commission (Fees, Fines and Charges) Regulations, 2005 notified vide no. BERC/04/2005 dated 2nd February, 2006 and published in the Bihar Gazette Extraordinary (No. Patna 95) dated 10th February, 2006, 1st amendment issued under notification no. 8 dated 31st October, 2007 published in the Bihar Gazette Extraordinary (No.Patna 978) dated 1st November, 2007 and 2nd amendment issued under notification no. BERC-Regl-04/2011-01 dated 31st January, 2012

published in the Bihar Gazette Extraordinary (No.Patna 55) dated 7th February, 2012.

1. **Short title, extent and commencement.**—(1) These regulations may be called the Bihar Electricity Regulatory Commission (Fees, Fines and charges) (3rd Amendment) Regulations, 2012.

(2) These Regulations extend to the whole of the State of Bihar.

(3) These Regulations shall come into force on the date of their publication in the Official Gazette.

2. **Amendment in Regulation 4 .**—*In Regulation 4, sub-regulation (5), the words “rate of one and half percent (1.5%) per month” are substituted as “rate of one and quarter percent (1.25%) per month”.*

3. **Amendment of schedule appended to the Regulations.**—(i) In the schedule appended to the principal regulations, amended vide 1st and 2nd amendments, for serial 1 and 6, following are substituted, namely:—

Sl. No.	Nature of Petition/Application	Fees
1.	(b) Renewable energy based plant including co-generation	Rs. 10,000 (Rs. Ten thousand) for the first one MW of capacity Rs. 2,500 (Rs. Two thousand five hundred) for each additional MW of capacity or part thereof
6	(a) Review of tariff order as in (1) above (i) Conventional fuel based (coal, gas, oil etc.) plant. (ii) Renewable energy based plant including co-generation (b) Review of tariff order as in (2) to (4)	Rs. 2 Lac Rs. 10,000 Rs. 2 Lac

(ii) After serial 22 of the schedule appended to the principal regulations, as amended vide 1st & 2nd amendments, the following shall be inserted, namely:—

Sl. No.	Nature of Petition/Application	Fees
23.	Review petition for FPPCA order	Rs. 10,000 (Ten thousand)
24.	Petition for approval of investment plan of the licensee.	0.001% of the proposed investment subject to a minimum of Rs. 10,000 (Ten thousand)
25.	Petition for determination of rates, charges, terms and conditions under proviso to sub-section (1) of section 36 of the Electricity Act, 2003.	Rs. 1,000 (one thousand) per MW or part thereof transmission capacity with a minimum of Rs. 25,000 (twenty five thousand).
26.	Application under section 35 of the Act for seeking use of intervening transmission facilities.	Rs. 1,000 (one thousand)
27.	Application seeking prior approval under section 17 of the Electricity Act, 2003.	License fee as applicable under Sl. 21 of the schedule
28.	Application for amendment of license under section 18 of the Electricity Act, 2003.	License fee as applicable under Sl. 21 of the schedule
29.	Application for revocation of license under sub-section (2) of section 19 of the Electricity Act, 2003.	License fee as applicable under Sl. 21 of the schedule
30.	Petition for amendment of supply code and connected matters specified under sections 43 to 48, 50, 55 and 56 excluding those	Rs. 10,000 (ten thousand)

Sl. No.	Nature of Petition/Application	Fees
	required as a result of State Govt. directives.	
31.	Petition for fixing trading margin in the intra-state trading.	Rs. 1 (one) Lac
32.	Adjudication of disputes regarding provisions of non-discriminatory open access under sub-section 47 of section 2 read with sub-section (2), (3) and (4) of section 42 of the Electricity Act, 2003.	Rs. 10,000 (ten thousand)
33.	Adjudication of disputes under section 9(2) /33(4) /35/43/67(4) of the Electricity Act, 2003.	Rs. 10,000 (ten thousand)
34.	Application seeking adjournment/extension in time	Rs. 1000 (one thousand)

By the order of the commission,

GANESH PRASAD,

Secretary.

**PUBLISHED AND PRINTED BY THE SUPERINTENDENT,
BIHAR SECRETARIAT PRESS, PATNA.
Bihar Gazette (Extra) 468—571+400—Egazette
Website: <http://egazette.bih.nic.in>**